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MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO, CA 94304-1018

EXAMINER
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WOZNIAK, JAMES S

ART UNIT	PAPER NUMBER
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2626

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/13/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/933,956

Applicant(s)

SARUKKAI, RAMESH R.

Examiner

James S. Wozniak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,7,8,10-14,30,32 and 33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,8,10-14,30,32 and 33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the office action from 9/1/2006, the applicant has submitted an amendment, filed 11/29/2006, amending claims 1, 3, 5, 10-11, and 30, while adding claim 33 and arguing to traverse the art rejection based on the amended limitations of the independent claims (*Amendment, Pages 8-10*). The applicant's arguments have been fully considered but are moot with respect to the new grounds of rejection, necessitated by the amended claims and in view of Saylor et al (*U.S. Patent: 6,501,832*).

### ***Response to Arguments***

2. Applicant's arguments have been fully considered but they are not persuasive for the following reasons:

With respect to the applicant's arguments directed to claim 33 (*Amendment, Page 10*), applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out *how* the language of the claims patentably distinguishes them from the references. In response to such arguments, the examiner directs the applicant to the below rejection of new claim 33.

*Claim Objections*

3. **Claims 4 and 32** are objected to because of the following informalities:

Claims 4 and 32 recite “the prompt content” and “the prompt mapping information”, which should be changed to --a prompt content-- and --prompt mapping information-- in order to provide proper antecedent basis for these limitations.

Appropriate correction is required.

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 30 and 33** are rejected under 35 U.S.C. 102(e) as being anticipated by Ladd et al (*U.S. Patent: 6,269,336*).

With respect to **Claim 30**, Ladd discloses location and dialog tag information (*Col. 16, Lines 29-40*), as well as device information tags (*Col. 24, Lines 1-8*).

With respect to **Claim 33**, Ladd discloses:

An audio prompt database including information for rendering text strings for the voice browser, the audio prompt database including a plurality of utterances that potentially correspond

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to a first text string to be rendered, each of the plurality of utterances associated with a unique prompt identification (*TTS audio file database, each audio file containing a unique identifier, Col. 10, Line 58- Col. 11, Line 11; Col. 18, Lines 33-44, and Col. 29, Lines 36-57*);

A prompt mapping configuration containing a plurality of occurrences of the first text string, each of the occurrences associated with a unique prompt class, and one of the prompt identifications of the audio prompt database (*variable prompts corresponding to XML text, each substitutable variable element having a prompt class identifier; example of weather report generation for a specific city tag, Col. 37, Line 8- Col. 40, Line 24*); and

A prompt audio object for rendering the first text string for the voice browser, the prompt audio object operable to use information obtained in the voice browser session to determine a prompt class in which to match the first text string to a prompt identification of the prompt mapping configuration, and to an utterance to render by matching the determined prompt identification to its associated utterance in the audio prompt database (*generating an audio announcement, Col. 10, Line 58- Col. 11, Line 11; and generating specific audio prompts based on XML mapping and user voice inputs, Col. 37, Line 8- Col. 40, Line 24; Col. 29, Lines 36-57*).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1, 3-4, 7-8, and 12-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al (*U.S. Patent: 6,269,336*) in view of Saylor et al (*U.S. Patent: 6,501,832*).

With respect to **Claim 1**, Ladd discloses:

Receiving a request for information (*receiving speech commands for browsing a voice web page, Col. 3, Line 58- Col. 4, Line 49*);

Obtaining information about the request (*determining voice web page information based on a user's voice input, Col. 4, Lines 36-49*);

Obtaining the requested information (*Col. 4, Lines 50-61*); and

Rendering the information for the communication device (*text-to-speech conversion of the requested information, Col. 9, Lines 11-19*).

Although Ladd discloses retrieving audio information in a voice web page, wherein page elements are denoted by tags (*Col. 16, Lines 29-40; Col. 18, Lines 33-44; and Col. 38, Line 20- Col. 40, Line 25*), Ladd does not specifically teach that a voice web page contains additional audio information elements tagged according to a relevancy. Saylor, however, discloses voice advertisement elements indexed to a particular pertinent voice page context (*Col. 14, Lines 46-62; Col. 18, Lines 46-65; Col. 27, Lines 33-56; Col. 36, Line 48- Col. 37, Line 3; and example of indexed voice ad, Col. 38, Line 33- Col. 39, Line 12*).

Ladd and Saylor are analogous art because they are from a similar field of endeavor in voice page access using voice browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd with the voice ads taught by Saylor in order to provide a means for revenue generation for voice page providers (*Saylor, Col. 7, Lines 19-24*).

With respect to **Claim 3**, Saylor further discloses text-to-speech conversion (*Col. 36, Lines 60-67*) for dynamically updated text data (*Col. 44, Line 45- Col. 45, Line 24*).

With respect to **Claim 4**, Ladd further discloses:

The prompt content includes at least one text portion, and the prompt mapping information includes a respective prompt class associated with each of the at least one text portion, and interpreting includes using respective prompt classes to determine which prompt of a plurality of prompts maps to each of the at least one text portion (*Field (class) attribute that is used as an identifier to produce one of a plurality of specific prompts, Col. 37, Lines 8-34*).

With respect to **Claim 7**, Ladd further discloses:

Encoding an XML tag in the intermediary form (*Col. 16, Lines 29-40; Col. 5, Lines 8-11*); and

Encoding a tag state in the intermediary form (start, end, and dialog tags, *Col. 16, Lines 29-40*).

With respect to **Claim 8**, Ladd further discloses:

Generating an array representing the information (*Col. 12, Lines 15-24*).

With respect to **Claim 12**, Ladd further discloses:

Parsing the information subsequent to the step of obtaining (*Col. 15, Line 60- Col. 16, Line 28; Col. 12, Lines 15-24*); and,

Generating an intermediary from of the parsed information (*tree, Col. 15, Lines 15-24*).

With respect to **Claim 13**, Ladd further discloses:

Converting the information into audio (*Col. 9, Lines 11-27*); and,

Playing the audio (*Col. 9, Lines 11-27*).

With respect to **Claim 14**, Ladd further discloses:

Returning an audio prompt (*Col. 14, Lines 10-56*).

8. **Claims 2, 10-11, and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al in view of Saylor et al and further in view of Uppaluru (*U.S. Patent: 5,915,001*).

With respect to **Claim 2**, Ladd in view of Saylor discloses the voice browsing method u, as applied to Claim 1. Ladd also teaches storing a generated intermediary data form (*Col. 13, Lines 63-65*). Ladd does not specifically suggest storing voice browser data in a cache, however Uppaluru teaches storing voice web page data in such a cache (*Col. 14, Lines 1-9*).

Ladd, Saylor, and Uppaluru are analogous art because they are from a similar field of endeavor in voice-enabled browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd in view of Saylor with the use of a cache for storing voice web page data as taught by Uppaluru to provide a more efficient means of obtaining voice web data by providing for the reuse of a generated voice web page data stored in a cache (*Uppaluru, Col. 14, Lines 1-9*).

With respect to **Claim 10**, Uppaluru further discloses:

Determining whether the information is stored in a cache and wherein the step of obtaining obtains the information from the cache (*reusing generated voice web page data stored in a cache that would require an inherent data detection step, Col. 14, Lines 1-9*).

With respect to **Claim 11**, Ladd teaches the method of voice browsing capable of generating an intermediary data form as applied to Claim 2, while Uppaluru teaches storing

generated voice web page data in a cache for the benefit of providing a more efficient means of obtaining voice web data as applied to Claim 2.

With respect to **Claim 32**, Uppaluru further discloses:

The prompt content includes a text string, and the prompt mapping information includes a prompt class associated with the text string, the prompt class being one of a plurality of prompt classes, a plurality of pre-recorded prompts are each classified into at least one of the plurality of prompt classes and wherein executing includes comparing the text to pre-recorded prompt labels classified into the prompt class associated with the text string (*prompt text indexed to a pre-recorded voice file via a voice type (class) attribute, Col. 22, Line 32- Col. 25, Line 25*).

9. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd et al in view of Saylor et al and further in view of Woods et al (*U.S. Patent: 6,510,417*).

With respect to **Claim 5**, Ladd in view of Saylor discloses the voice browsing method utilizing voice ads, as applied to Claim 1. Ladd in view of Saylor does not specifically suggest voice ad selection based on a geographic location, however Woods discloses such voice ad selection (*Col. 7, Line 19- Col. 8, Line 4*).

Ladd, Saylor, and Woods are analogous art because they are from a similar field of endeavor in voice-enabled browsers. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Ladd in view of Saylor with the voice ads selected based upon location as taught by Woods in order to further help determine what type of advertising to give to the customer (*Woods, Col. 9, Lines 1-2*).

*Conclusion*

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Katz et al (*U.S. Patent: 6,055,513*)- discloses intelligent selection of voice advertisements in an IVR system.

Stephens (*U.S. Patent: 6,557,026*)- teaches a voice browser that generates user-specific advertisements.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached at (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak  
1/18/2007

  
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